IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 18468 of 2004

Between:

Sri Ram Sharma, S/o. Sri Ram Parvesh Singh,
R/o. H.No. 6-3-164/3/96, Prem Nagar, Khairatabad,
Hyderabad.

..... PETITIONER

AND

1 The State of A.P., Rep. by its Principal Secretary,
Home Department, Secretariat, Hyderabad.
2 The Commissioner of Police, Basheerbagh, Hyderabad.
3 Station House Officer, Panjgutta P.S. Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in seizing my 12 Bore Double Barrel Gun vide licence NO. 7132/MKG together with the license issued by Govt. of Nagaland by trespassing into my house in my absence and not registering any FIR and not producing the objects before the competent court of law and not returning the gun and licence to me inspite of representation as arbitrary illegal and consequently direct the respondents to restore the gun and the license to me.

Counsel for the Petitioner: MR.C.M.R.VELU

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following order:

ORDER:

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The petitioner states that he is holding a licence to possess one Bore Double Barrel Gun vide licence No.7132/MKG. It appears that the said gun was seized by the S.H.O, Panjagutta P.S. in the month of March, 2003, in the absence of the petitioner. Thereafter, the petitioner made a representation on 15.05.2003, requesting for release of the weapon. However, the respondents failed to consider his request and no orders have been passed so far on his representation. Hence, this writ petition seeking a declaration that the seizure of his weapon is arbitrary and illegal and for a consequential direction to the respondents to restore the gun and licence to him.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Home appearing for the respondents, and keeping in view the fact that the petitioner's representation for return of his weapon is pending before the respondents, without expressing any opinion on merits, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the representation of the petitioner dated 15.05.2003 and to pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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11.10.2004

Jsu/ Vgb

To

1 The Principal Secretary, State of A.P,
Home Department, Secretariat, Hyderabad.
2 The Commissioner of Police, Basheerbagh, Hyderabad.
3 Station House Officer, Panjgutta Police Station, Hyderabad.

4 2CCs to the Government Pleader for Home, High Court Buildings, Hyderabad. (O.U.T)

5 2CD copies.